

AMENDED IN SENATE APRIL 4, 2005

SENATE BILL

No. 683

Introduced by Senator Aanestad

February 22, 2005

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An act to ~~add Section 1634.1 to~~ amend Section 1626 of, and to add Section 1634.1 to, the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

SB 683, as amended, Aanestad. Dentistry: licensure.

Existing law, *the Dental Practice Act*, provides for the licensing and regulation of dentists by the Dental Board of California, in the Department of Consumer Affairs. ~~Existing law~~ *The act* requires an applicant for licensure to meet specified requirements, including passage of a dental licensure examination, with specified exceptions. *Existing law exempts certain types of practices from the act.*

This bill would also require the board to grant a license to an applicant who passes an examination in California law and ethics and who meets specified education and residency requirements. *The bill would also exempt the practice of dentistry by dental school graduates enrolled in certain advanced dental education programs from the act.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1626 of the Business and Professions
- 2     Code is amended to read:
- 3     1626. It is unlawful for any person to engage in the practice
- 4     of dentistry in the state, either privately or as an employee of a

1 governmental agency or political subdivision, unless the person  
2 has a valid, unexpired license or special permit from the board.

3 The following practices, acts and operations, however, are  
4 exempt from the operation of this chapter:

5 (a) The practice of oral surgery by a physician and surgeon  
6 licensed under the Medical Practice Act.

7 (b) The operations by bona fide students of dentistry or dental  
8 hygiene in the clinical departments or the laboratory of a  
9 reputable dental college approved by the ~~Board of Dental~~  
10 ~~Examiners~~ *Dental Board of California*, including operations by  
11 unlicensed students while engaged in dental extension programs  
12 which have been approved by a school of dentistry, and approved  
13 by the ~~Board of Dental Examiners~~ *Dental Board of California*,  
14 and which are offered by the educational institution comprising  
15 the approved school of dentistry, and which are under the general  
16 programmatic and academic supervision of that school of  
17 dentistry.

18 (c) *The practice of dentistry by dental school graduates who*  
19 *are enrolled in an advanced dental education program*  
20 *accredited by the Commission on Dental Accreditation of the*  
21 *American Dental Association or a national accrediting body*  
22 *approved by the board.*

23 (d) The practice of dentistry by licensed dentists of other states  
24 or countries while appearing and operating as bona fide clinicians  
25 or instructors in dental colleges approved by the *Dental Board of*  
26 ~~Dental Examiners~~ *California*.

27 ~~(d)~~

28 (e) The practice of dentistry by licensed dentists of other states  
29 or countries in conducting or making a clinical demonstration  
30 before any bona fide dental or medical society, association, or  
31 convention; provided, however, the consent of the *Dental Board*  
32 of ~~Dental Examiners~~ *California* to the making and conducting of  
33 the clinical demonstration ~~must~~ *shall* be first had and obtained.

34 ~~(e)~~

35 (f) The construction, making, verification of shade taking,  
36 alteration or repairing of bridges, crowns, dentures, or other  
37 prosthetic appliances, or orthodontic appliances, when the casts  
38 or impressions for this work have been made or taken by a  
39 licensed dentist, but a written authorization signed by a licensed  
40 dentist shall accompany the order for the work or it shall be

performed in the office of a licensed dentist under his or her supervision. The burden of proving written authorization or direct supervision is upon the person charged with the violation of this chapter.

It is unlawful for any person acting under the exemption of this subdivision (e) to represent or hold out to the public in any manner that he or she will perform or render any of the services exempted by this subdivision that are rendered or performed under the provisions of this chapter by a licensed dentist, including the construction, making, alteration or repairing of dental prosthetic or orthodontic appliances.

~~(f)~~

(g) The manufacture or sale of wholesale dental supplies.

~~(g)~~

(h) The practice of dentistry or dental hygiene by applicants during a licensing examination conducted in this state by the licensing agency of another state which does not have a dental school; provided, however, that the consent of the board to the conducting of the examination shall first have been obtained and that the examination shall be conducted in a dental college accredited by the board.

~~(h)~~

(i) The practice by personnel of the Air Force, Army, Coast Guard, or Navy or employees of the United States Public Health Service, Veterans' Administration, or Bureau of Indian Affairs when engaged in the discharge of official duties.

#### SECTION 1.

SEC. 2. Section 1634.1 is added to the Business and Professions Code, to read:

1634.1. Notwithstanding Section 1634, the board may grant a license to practice dentistry to an applicant who submits all of the following to the board:

(a) A completed application form and all fees required by the board.

(b) Satisfactory evidence of having graduated from a dental school approved by the board or by the Commission on Dental Accreditation of the American Dental Association.

(c) Satisfactory evidence of having completed a clinically based postdoctoral general practice or specialty dental residency program, of at least one year's duration, in a hospital or dental

1 facility accredited for teaching purposes by the Commission on  
2 Dental Accreditation of the American Dental Association or a  
3 national accrediting body approved by the board, except that any  
4 residency program shall include a formal outcome assessment  
5 evaluation of the resident's competence to practice dentistry  
6 acceptable to the board.

7 (d) Satisfactory evidence of having successfully completed an  
8 examination in California law and ethics.

9 (e) Proof that the applicant has not failed the examination for  
10 licensure to practice dentistry under this chapter within five years  
11 prior to the date of his or her application for a license under this  
12 chapter.